

PLEASE FILE 2ND

1 of 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

BRO. T. HESED-EL, )  
Plaintiff, ) Civil Action No. 1:21-cv-305-MR-WCM  
v. )  
ROBIN BRYSON, et al., ) FILED  
Defendants. ) ASHEVILLE, NC  
 ) SEP 11 2023  
U.S. DISTRICT COURT  
W. DISTRICT OF N.C.

**MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION TO AMEND**

On September 7, 2023, the Court denied Plaintiff's conditional motion to amend ("motion") without prejudice. Doc. 125. The Court stated that the motion was filed prematurely. Prior to that, Plaintiff requested to amend his complaint but did articulate well enough to the Court in that filing that he had conferred with the defendants' counsel prior and was not reasserting claims against dismissed parties. The present motion and memorandum cure all those deficiencies.

## **THE PROPOSED PLEADING IS ESSENTIALLY THE SAME AS DOC. 14**

The attached proposed pleading is identical to the operative complaint, Doc. 14, except for:

- (1) It is retitled as Second Amended Complaint;
  - (2) Crossed-out the dismissed parties (*not reasserting against them in proposed pleading*);
  - (3) Relabeled his existing allegations as **COUNT VI – MEDICAL NEGLIGENCE** at the end of the complaint. As shown, the paragraphs within that count were copied from Doc. 14 and pasted in the proposed Second Amended Complaint as Count VI, ¶¶ 71-75; and

Those paragraphs are the same allegations served on the defendants to commence this action. They've had ample notice of Plaintiff's claims and the ground upon which they rest. The only substantial change is the label/header above the allegations.

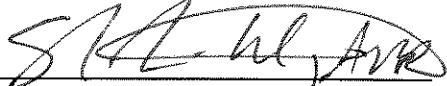
## CONCLUSION

Plaintiff argues that there are no reasonable grounds to deny this motion.

## PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the motion is granted.

Respectfully this 22<sup>nd</sup> day of Safar, 1445 A.H.



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Brother T. Hesed-El, Plaintiff *pro se*

c/o TAQI EL AGABEY MANAGEMENT  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the persons listed below have been served with this  
MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION TO AMEND, via Priority Mail.

**Robin Bryson and Mission Hospital Inc.**  
% Attorney Daniel Walsh  
Patla, Straus, Robinson & Moore, P.A.  
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This 8<sup>th</sup> day of September 2023 A.D.

  
\_\_\_\_\_  
Brother T. Hesed-El, Plaintiff *pro se*